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LETTER DATED 2 NOVEMBER 1993 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to submit herewith a letter dated 2 November 1993 from the Minister for Foreign Affairs of Croatia Mr. Mate Granić, addressed to you, and transmitting the peace initiative of the President of Croatia, H.E. Mr. Franjo Tudjman.

I would request your kind assistance in distributing this letter and its annex as a document of the Security Council.

(Signed) Vladimir DROBNJAK
Chargé d'affaires a.i.

Annex

Letter dated 2 November 1993 from the Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

I have the honour to forward the peace initiative of 1 November 1993 by the President of Croatia H.E. Mr. Franjo Tudjman.

The President of Croatia, deeply concerned about the stalemate of the Geneva Conference on the Former Yugoslavia and the failure of all other efforts to stop the war and armed conflicts in Croatia and Bosnia and Herzegovina, wishes in this way to contribute to actions designed to stop the war and pave the way for the establishment of peace, mutual understanding and settlement of political and economic problems in the States created in the area of the former Yugoslavia.

(Signed) Mr. Mate GRANIĆ

Appendix

Peace initiative of the President of Croatia,
H.E. Mr. Franjo Tudjman

Deeply concerned by the impasse at the Geneva Conference on the Former Yugoslavia, and by the failure of all other attempts made to stop the war and military conflicts in the area of Croatia and Bosnia and Herzegovina, I consider it my statesman's duty to suggest to the international community, in particular to all the relevant global factors, a peace initiative that would stop the war and all the associated horrors and open up the path to peace and understanding and to a resolution of the political and economic problems in the area of the former Yugoslavia.

I. PROPOSAL FOR THE IMPLEMENTATION OF THE PEACE PLAN IN UNITED NATIONS PROTECTED AREAS (UNPAs) IN CROATIA

In order to achieve the speediest implementation of Security Council resolution 871 (1993) and all other resolutions referred to in that resolution, Croatia proposes the following:

1. The Croatian Government is prepared to conclude within 15 days an agreement on the cessation of all hostilities with the representatives of the local Serbs, guaranteeing their local and cultural autonomy.

2. To this end, we propose at the same time the renewal of the work of the joint commissions in order to resolve all issues enumerated in the Vance plan, and the implementation of the provisions of Security Council resolution 871 (1993), with the participation of the representatives of the United Nations Protection Force (UNPROFOR) and of the European Community.

3. We propose the immediate normalization of overall social and economic life in the UNPAs through the following:

(a) The immediate opening of all road and rail communications throughout Croatia, and particularly along the routes Zagreb-Knin-Split, Zagreb-Slavonski Brod-Županja, Novska-Okučani-Pakrac-Daruvar, Sisak-Glina-Bosanski Novi, Osijek-Beli Manastir-Hungarian border, Osijek-Vukovar, Osijek-Vinkovci-Ilok, etc.;

(b) The opening of the Adriatic oil pipeline and the repair and beginning of regular operation of facilities for oil transport, and power and water supply, throughout Croatia;

(c) The immediate return, without further delay, of all displaced persons to their homes under the supervision and with the efficient assistance of UNPROFOR and the authorities of Croatia;

(d) The initiation of all steps necessary for the restoration of normal life in the UNPAs, including the reopening of all communications, the supply of goods to the entire population, i.e., including the Serbian population (without any discrimination), in the forthcoming winter period, the reinstatement of

welfare and medical care, normal operation of schools, supply of electric power and other energy sources, the payment of pensions, the employment of all civil servants and the integration of all other activities into the overall economic and legal system of Croatia;

(e) The preparation of plans and the initiation of steps to achieve the equitable integration of the UNPAs into the economic reconstruction of Croatia.

4. For the sake of the political settlement of the conflict and normalization of overall social life, Croatia is prepared, within the scope of its constitutional and legal order, to ensure in the UNPAs the implementation of its regulations, as well as of international conventions concerning the rights and freedoms of the Serbian ethnic community. To this end the following steps will be undertaken:

(a) The provision of full local autonomy (self-government), within the framework of the constitutional law, in the Districts of Knin and Glina in which the Serbs account for the majority;

(b) The assurance of the right to cultural autonomy of the Serbian ethnic community throughout Croatia, and especially the right to education in their language and script in accordance with special curricula and the bilingual writing of toponyms in areas in which they are in the majority;

(c) The scheduling of elections for local, district and municipal self-governmental authorities under international supervision;

(d) The establishment of special police administrations in the Districts of Knin and Glina, whereby the national composition of the police force should match the ethnic composition of the population according to the latest censuses.

5. In order to provide for full civil and political equality, and efficient safeguarding of the civil and ethnic rights of the Serbs in Croatia, Croatia is prepared to accept the establishment of a special international supervisory body, and of a special Human Rights Court, to which each citizen may apply after having exhausted the regular legal course. In order to safeguard their special rights, the Districts of Knin and Glina will be able to bring a constitutional action to the Constitutional Court of Croatia should they consider that human rights and liberties, or the rights of the ethnic community, have been violated in their areas.

6. In order to create full confidence, Croatia is prepared to propose the use of a special international Conference on Security and Cooperation in Europe (CSCE) supervisory mission for mediation between the minority and the majority population.

7. Croatia is prepared to negotiate the political settlement of all outstanding issues except those that may affect its territorial integrity and sovereignty.

II. PROPOSAL FOR THE CESSATION OF WAR AND THE ESTABLISHMENT OF PEACE IN BOSNIA AND HERZEGOVINA

In this fateful moment when there appears to be no escape from the tragic sequence of events in Bosnia and Herzegovina, and when the orientation to the convening of new, time-consuming international conferences is not likely to produce results, I propose that international factors revive the work of the Geneva Conference on the basis of the agreements achieved thus far concerning the constitutional arrangements of Bosnia and Herzegovina as a Union of Republics.

In order to make such a revived Conference as efficient as possible, I suggest the participation, along with the Co-Chairmen of the Conference, of representatives of States which may have the most effective influence on the resolution of the crisis in Bosnia and Herzegovina and in the former Yugoslavia, i.e., France, Germany, the Russian Federation, the United States of America, Turkey and the United Kingdom of Great Britain and Northern Ireland.

1. Thus convened anew, the Geneva Peace Conference should prevail upon all the three parties in conflict, under threat of sanctions and within 14 days:

(a) To sign an agreement on the immediate cessation of hostilities and all military actions. Should they fail to do so, the United Nations Security Council should be requested to adopt a resolution ordering such cessation under the threat of armed enforcement;

(b) To sign a declaration on the acceptance of the constitutional arrangement of the Union of Republics of Bosnia and Herzegovina and of the annexed agreements.

2. I propose that the controversial issues of delimitation between the Republics of the Union of Bosnia and Herzegovina be resolved through bilateral negotiations and, if no agreement can be reached, to entrust the final decision to a special (arbitration) body to be nominated by the Co-Chairmen of the International Conference on the Former Yugoslavia and other Conference participants.

3. I propose that all the parties in conflict should undertake immediately:

(a) To assure and guarantee free and unhindered passage of humanitarian aid to all parties in all areas where it is required;

(b) To exchange all detainees and disband all detention centres, and bear full responsibility for their treatment of detainees in accordance with the rules of international humanitarian law;

(c) To permit international supervision and freedom of movement to representatives of international agencies who will supervise the implementation of these steps.

4. The peace plan can be implemented by using North Atlantic Treaty Organization (NATO) forces in the role thus far played by UNPROFOR, with the

authority to use force, air strikes included, against all those who violate the agreement on the cessation of hostilities or frustrate the delivery of humanitarian aid and international supervision of the implementation of the achieved agreements.

III. PROPOSED STEPS FOR THE PERMANENT CONSOLIDATION OF PEACE

If peace, once achieved, is to be sustained permanently and consolidated, I propose that all the States in the area of the former Yugoslavia should proceed - within the framework of the Peace Conference and under the auspices of the United Nations Secretary-General and Security Council - as follows:

1. Sign a solemn declaration on the reciprocal recognition of the independence and sovereignty of all newly emerged States within their internationally recognized borders;

2. Sign within three months an agreement on the succession to rights and obligations of all successor States of the former Yugoslavia pursuant to the decision of the Arbitration Commission;

3. Start negotiating, within the scope of European integration processes, treaties between themselves and with other European States concerning the regulation and promotion of economic and traffic links and trade and other matters of interest for relations among sovereign and independent States wishing to establish good neighbourly relations, and also of interest for the stability of the international order in this part of the world;

4. Sign, within the framework of the Conference, a solemn declaration on the observance of the rights of national minorities and ethnic communities in accordance with international standards and conventions, with internationally controlled implementation of such an agreement;

5. Immediately begin negotiating an agreement on the regional security of countries in the area of the former Yugoslavia within the scope of the general CSCE conventional armaments limitation system;

6. I believe that the United Nations Security Council sanctions enforced in respect to certain States in the area of the former Yugoslavia should remain in force until all the results of the proposed peace process are achieved. As soon as the peace plan is achieved, the sanctions ought to be lifted forthwith.

I urge all international factors to consider these proposals and to take resolute measures to bring a halt to the conflict, and all steps required to bring peace and create the prerequisites for the establishment of a stable international order in the area, for the benefit of all the States in this part of Europe and in the world.

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LETTER DATED 2 NOVEMBER 1993 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that, despite its widely publicized announcements of a cease-fire, the Armenian side has nevertheless continued its offensive in the south-west of Azerbaijan.

Over the last few days of October Armenian combat formations continued their advance and occupied almost the entire territory of the Zangelan district of the Azerbaijani Republic. Sixty-two settlements have been seized, including the district centre, the town of Zangelan.

The civilian population of the Zangelan district, as well as refugees who entered its territory from the adjacent Jäbrayyl, Kubatly, Lachyn and Füzuli districts of Azerbaijan which had previously been occupied by the Armenian army, have assembled on the Azerbaijani-Iranian frontier and, using any means available, are attempting to cross over into the territory of the Islamic Republic of Iran.

There have been many victims among the civilian population. The Zangelan district of Azerbaijan and other occupied Azerbaijani territories have been subjected to an exhaustive campaign of ethnic cleansing.

The Armenian troops are also pursuing the "scorched earth" tactic, laying waste and burning down entire settlements. On 1 November 1993 the Los Angeles Times reported: "Widespread arson by the Armenians was confirmed by Mahmoud Said, chief of the U.N. mission in Azerbaijan, who drove 20 miles along the river on the Iranian side Friday and Saturday. 'The Azerbaijani side of the border was in flames', he said. Along that whole stretch of riverbank, 'we could see entire villages burning just 500 meters from the barbed wire'."

Throughout the day on 31 October, Armenian armed forces made repeated attempts to penetrate deeper into the territory of Azerbaijan in the direction of the town of Beylagan.

The Armenian side makes no attempt to conceal its aggressive intentions vis-à-vis Azerbaijani territories, openly assailing the sovereignty of Azerbaijan. The Permanent Mission of Armenia is disseminating the statement of Mr. Karen Baburian, "Chairman of the Parliament of the Nagorny Karabakh

Republic" (S/26645, annex) - a republic which does not exist in the territory of the Nagorny Karabakh region of the Azerbaijani Republic. At the same time, in the "statement of the Ministry of Foreign Affairs of the Republic of Armenia regarding United Nations Security Council resolution 874 (1993)" (S/26612, annex), it was stressed that "Armenia continues to reject any language in the resolution which may prejudice the outcome of the Minsk Conference. The CSCE Minsk process, which this resolution endorses unreservedly, has been based on the universal agreement that the political status of Nagorny Karabakh will be determined through negotiations at the Minsk Conference."

It is evident that a policy of "double standards" is also being successfully pursued in Armenia, otherwise the above-mentioned statement to the Security Council would not have contained what is in effect a refusal to take the elementary step in accordance with international law of confirming that Nagorny Karabakh is part of the Azerbaijani Republic.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Yashar T. ALIYEV
Chargé d'affaires